

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 03, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STEPHANIE R M.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:24-CV-3017-RMP

ORDER GRANTING STIPULATED  
MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Plaintiff Stephanie M.<sup>1</sup> is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Ryan Lu.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. Plaintiff's Opening Brief, **ECF No. 10**, is **DENIED AS MOOT**.

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<sup>1</sup> The Court uses Plaintiff's first name and last initial to protect her privacy.

Pursuant to the parties' stipulation, the Commissioner's final decision is **reversed and remanded** under sentence four of 42 U.S.C. §405(g). *See* ECF No. 21-1 at 1–3. On remand, the Appeals Council will refer the case to an Administrative Law Judge ("ALJ") to:

- Reevaluate step one and whether Plaintiff engaged in substantial gainful activity;
- Reassess the residual functional capacity, including reevaluating the medical opinions;
- Continue the sequential evaluation and, as necessary, obtain vocational expert evidence to determine whether a significant number of jobs exist that Plaintiff could perform; and
- Offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record resolving the above issues, and issue a new decision.

*See id.*

Upon proper presentation, this Court will consider Plaintiff's application for attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order, provide copies to counsel, enter judgment in favor of Plaintiff, and **close the file**.

**DATED** September 3, 2024.

s/ Rosanna Malouf Peterson  
ROSANNA MALOUF PETERSON  
Senior United States District Judge